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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
MANUFACTURERS AND TRADERS TRUST
COMPANY, as Successor Indenture Trustee for the
7.75% Contingent Convertible Notes Due 2015 issued
by Calpine Corporation,

08-CV-03093 (VM)

Plaintiff,

—against—

**HSBC BANK USA, National Association, as Successor
Indenture Trustee for the 7.625% Senior Notes Due
2006, the 8.75% Senior Notes Due 2007, the 8.75%
Senior Notes Due 2008, and the 7.75% Senior Notes
Due 2009 issued by Calpine Corporation,**

—and—

**U.S. BANK NATIONAL ASSOCIATION, as
Indenture Trustee for the 10.50% Senior Notes Due
2006 issued by Calpine Corporation,**

Defendants.

**NOTICE OF MOTION FOR
REMAND TO SUPREME COURT
OF THE STATE OF NEW YORK,
COUNTY OF NEW YORK**

PLEASE TAKE NOTICE that, upon the accompanying Affidavit of S. Robert Schrager, Plaintiff will move this Court before the Honorable Victor Marrero at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, 10007, at such time as the Court may direct, for an order pursuant to 28 U.S.C. § 1447(c) remanding this action to the Supreme Court of the State of New York, County of New York on the ground that such action was improperly removed to this Court, and granting such other and

further relief, including costs and actual expenses including attorneys fees, as this Court may deem just and proper.

Dated: April 24, 2008
New York, New York

s/ S. Robert Schrager

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Notes due 2015 issued by Calpine
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